



## DEPARTMENT OF NATURAL RESOURCES

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September 27, 2001

Ms. Pamela Thompson, Project Manager  
United States Department of Energy  
Weldon Spring Remedial Action Project  
7295 Highway 94 South  
Weldon Spring, MO 63304

**RE: Weldon Spring Site Stewardship Document for Operations and Maintenance  
DOE Document Number DOE/OR/21548-771, Rev. 1, July 2001**

Dear Ms Thompson:

Thank you for providing a draft of the stewardship plans that addresses a few of our previously noted concerns. However, it does fall short of a complete plan. I cannot overemphasize the importance of agreeing on a manual to address the stewardship issues at Weldon Spring. The Department of Energy (DOE) chose to construct a waste disposal cell, designed to last hundreds or thousands of years, that does not outlast the potential contamination lifetime of the waste. The DOE also chose to leave contamination in the Southeast Drainage and other impacted areas. With these decisions the DOE accepted the responsibility to adequately protect human health and the environment beyond the completion of the disposal cell construction. The waste will remain. You and I, and all those currently involved with this project, will not. The Stewardship plan and supporting documents are key components to establishing the future path towards fulfilling this undaunted commitment.

As we have discussed previously on numerous occasions, development of this plan must be done through an open and collaborative process. Meaningful discussions must ensue with the Missourians affected, local governments, the Department of Natural Resources and other stakeholders. We have attempted to discuss stewardship issues with site staff and have been ignored. If our two agencies cannot have productive discussions, how can I ensure that the concerns of others in the state are also heard?

The proposed stewardship plan fails to establish a clear explanation of the DOE's commitments and actions. The DOE has also not adequately addressed key components, along with the necessary details: current knowledge and documentation, used to decide the course of action; plans for action; future funding and institutional controls.

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### **Deficient documents**

Staff determined previously that the *Long Term Monitoring and Maintenance Plan* and the *Institutional Controls Plan* were deficient in several areas. The stewardship plan refers at length to these documents. Until the monitoring, maintenance and institutional control plans are adequate, I cannot endorse a stewardship plan dependent on those documents.

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) requires an "Operations and Maintenance Plan" detailing how the site will be preserved in a protective state before a remedy is complete. The stewardship plan does not include this plan. The formal CERCLA primary document review process cannot begin until it is added.

### **Ineffective plan for action**

The Stewardship Plan outlines broad scopes of action, but does not include specific details of what is to follow. Who is responsible for what and when it will be done must be provided. DOE developed extensive guidance documents that were not used to produce the stewardship plan. To ensure for the future safety and protection of our citizens and resources a true plan must be in place, not just an outline. Other states will think long and hard when looking to Weldon Spring to gauge whether the strategy of allowing on-site capping of waste is prudent. DOE's promises and commitments to ensure post-closure protection of human health and the environment through a Stewardship Plan appear to be empty.

### **Insufficient consideration of funding**

There is no secure mechanism to provide funding for stewardship activities. Further, the plan proposes an inadequate funding level, less than \$4,000 annually, for state and local oversight. Without adequate funding, the plan will sit on the shelf, nullifying any real commitment to stewardship. DOE has provided adequate funding for other states, I will not settle for anything less for Missourians.

### **Inadequate institutional controls**

The decision documents for the Chemical Plant site, Quarry Residuals Operable Unit and the Southeast Drainage Area identified needed institutional controls. When institutional controls are a part of the selected remedy they are required, not just considered, as stated in the plan. Institutional controls are also required for those areas impacted by contaminated groundwater. Additionally, some kind of property control or owner notice is required for any areas containing residual contaminants that have not been remediated to appropriate residential risk levels.

The DOE has undertaken extensive remediation at Weldon Spring. Development and approval of a stewardship plan at this time may seem to be of secondary importance compared to the completion of the remediation. But, remediation is a short-term commitment. Stewardship is the long-term commitment to dealing with the contamination.

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Please address these issues. As always, my staff and I are willing to work with you to develop a complete and meaningful stewardship plan. More detailed comments on this submittal are

enclosed for you to review and address in development of an acceptable plan. I am committed to Missourians to ensure that the site is protected for future generations. If you have any questions, comments, or wish to set up future meetings for discussion, please contact Mr. Robert Geller of my staff at (573) 751-3907.

Sincerely,

DEPARTMENT OF NATURAL RESOURCES

*Original signed by Stephen Mahfood*

Stephen Mahfood  
Director

Enclosure

c: Mr. Mike Duvall, St. Charles County Division of Environmental Services  
Mr. Dan Wall, U. S. Environmental Protection Agency  
Weldon Spring Citizens Commission